

AMENDED IN SENATE APRIL 5, 2011

**SENATE BILL**

**No. 752**

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**Introduced by Senator Berryhill**  
(Coauthor: Assembly Member Chesbro)

February 18, 2011

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An act to add Section 3032 to the Fish and Game Code, relating to entitlements.

LEGISLATIVE COUNSEL'S DIGEST

SB 752, as amended, Berryhill. ~~Hunting entitlements.~~ *Entitlements:* voluntary donations.

Existing law requires each person who takes birds or mammals in California to apply for, and be granted, a hunting license. Existing law authorizes specified persons to obtain tags or stamps for the taking of specific animals or aquatic species, if certain requirements are met.

This bill would require that a person to whom a ~~hunting~~ license, permit, reservation, tag, or other entitlement is issued pursuant to the Automated License Data System have the opportunity at the time of issuance to make a voluntary donation, or release contact information, or both, to ~~eligible nonprofit organizations~~ *nonprofit hunting organizations*, as defined, through means of a check-off box, or through other means the department determines to be appropriate. The bill would require the department to annually transmit collected donation revenues and contact information to the designated ~~eligible nonprofit~~ *hunting* organization. The bill would authorize the department, ~~in order to cover its direct administrative costs of implementation, to impose a charge on an eligible nonprofit organization for a reasonable percentage of the total annual donations collected for the organization~~ *fee on a nonprofit*

*hunting organization, not to exceed 3% of the total annual donations collected for the nonprofit hunting organization.*

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

1 SECTION 1. Section 3032 is added to the Fish and Game Code,  
2 to read:

3 3032. (a) A person to whom ~~a hunting~~ any license, permit,  
4 reservation, tag, or other entitlement is issued pursuant to the  
5 Automated License Data System shall have the opportunity at the  
6 time of issuance to make a voluntary donation, or release contact  
7 information, or both, to ~~eligible nonprofit~~ *nonprofit hunting*  
8 organizations through means of a check-off box, or through other  
9 means the department determines to be appropriate.

10 (b) A nonprofit organization seeking to receive donations or  
11 contact information pursuant to this section shall annually submit  
12 a letter to the department providing evidence that it meets the  
13 ~~definition of an eligible nonprofit organization as set forth in~~  
14 *criteria set forth in* subdivision (e). If the department determines  
15 that the nonprofit organization is eligible, it shall include the  
16 ~~nonprofit organization entity~~ in the check-off box or other means  
17 determined pursuant to subdivision (a).

18 (c) The department shall annually transmit donation revenues  
19 and contact information collected pursuant to subdivision (a) to  
20 the designated ~~eligible nonprofit~~ *nonprofit hunting* organization.

21 ~~(d) In order to cover the direct administrative costs incident to~~  
22 ~~implementing this section, the department may impose a charge~~  
23 ~~on an eligible nonprofit organization for a reasonable percentage~~  
24 ~~of the total annual donations collected for the organization pursuant~~

25 *(d) To recover its direct administrative costs of implementing*  
26 *this section, the department may impose a fee on a nonprofit*  
27 *hunting organization, not to exceed 3 percent of the total annual*  
28 *donations collected for the nonprofit hunting organization pursuant*  
29 *to this section.*

30 (e) As used in this section, ~~“eligible nonprofit”~~ *“nonprofit hunting*  
31 *organization”* means a nonprofit organization, ~~as defined in Section~~  
32 ~~501(e)(3) of~~ *hunting organization, as defined in the Internal*  
33 *Revenue Code, and determined to be eligible by the department*

1 that has goals and objectives directly related to the conservation  
2 and management of game species and primarily represents the  
3 interests of persons licensed pursuant to Section 3031.

4 *(f) Donations made to a nonprofit hunting organization may be*  
5 *eligible for tax deductions as provided in the Internal Revenue*  
6 *Code. The department shall provide a written receipt for any*  
7 *donation made pursuant to this section.*

8 *(g) Any advertising materials produced pursuant to this section*  
9 *are subject to Section 211.*

10 *(h) The department may develop policies and procedures to*  
11 *implement this section, including, but not limited to, those specified*  
12 *in Section 1054.8.*